

MAR. 22. 2006 9:26AM

Appl. No. 09/879,186

NO. 8533 P. 2

PATENT MAINTENANCE  
DIVISION

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE** MAR 23 PM 4: 01

Appl. No.: 09/879,186

Applicant: Adam Zimmer et al.

Filed: June 13, 2001

Title: **SYSTEM AND METHOD FOR MULTIPLE LEVEL ARCHITECTURE  
BY USE OF ABSTRACT APPLICATION NOTATION**

Art Unit: 2122

Examiner: VO, Ted T.

Docket No.: 67670/00002

US PATENT & TRADEMARK  
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Mail Stop 16  
Director of the USPTO  
P.O. Box 1450  
Alexandria, VA 22313-1450

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MAR 23 PM 4: 01

PATENT MAINTENANCE  
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**REQUEST FOR REFUND OF FEES**

Sir:

Applicant requests a refund of fees double charged by the Office as outlined below.

Applicant filed a Request for Continued Examination (RCE) with an amendment on March 3, 2005. The requisite RCE fee of \$790 and amendment fee of \$50 were requested to be debited from Deposit Account No. 02-2553. The Office duly charged the afore-mentioned Deposit Account on March 7, 2005. Enclosed is a marked up copy of the Deposit Account Statement for March 2005.

Follow up by the Applicant revealed that the March 3, 2005 submission had not been entered in the records of the Office. At the request of the Office a copy of the March 3, 2005 submission was re-filed on May 31, 2005 together with a letter of explanation. The purpose of this submission was to complete the records of the Office and it was not intended to pay the RCE and amendment fee a second time. When reconciling our Deposit Account Statement for June 2005 it was noted that fees of \$790 and \$50 had been charged. Enclosed is a marked up copy of the June 2005 Deposit Account Statement.

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MAR. 22. 2006 9:26AM

NO. 8533 P. 3

Appl. No. 09/879,186

Applicant submits that the charges applied to Deposit Account No. 02-2553 are a duplication of the fees charged in March 2005 and respectfully requests a refund in the amount of \$840.

Respectfully submitted,

---

John R.S. Orange  
Agent for Applicant  
Registration No. 29,725


Date: August 10, 2005

Copy

BLAKE, CASSELS & GRAYDON LLP  
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CANADA

Tel: 416.863.3164  
JRO/jm  
21438033.1

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<b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>					Docket No. <b>67670/00002</b>	
Applicant(s): <b>ZIMMER, Adam et al.</b>						
Application No. <del>10879186</del> <b>09/879186</b>	Filing Date <b>June 13, 2001</b>	Examiner <b>VO, Ted T.</b>	Customer No. <b>27871</b>	Group Art Unit <b>3122</b>	Confirmation No.	
Invention: <b>SYSTEM AND METHOD FOR MULTIPLE LEVEL ARCHITECTURE BY USE OF ABSTRACT APPLICATION NOTATION</b>						
<b>COMMISSIONER FOR PATENTS:</b>						
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.						
<b>CLAIMS AS AMENDED</b>						
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	
TOTAL CLAIMS	7	6	1	x \$50.00	\$50.00	
INDEP. CLAIMS	4	4	0	x \$200.00	\$0.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00	
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$50.00</b>	
<input type="checkbox"/> No additional fee is required for amendment. <input checked="" type="checkbox"/> Please charge Deposit Account No. <b>02-2553</b> in the amount of <b>\$50.00</b> <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account: <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038. <b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>						
 _____ Signature			Dated: <b>March 3, 2005</b>			
<b>John R.S. Orange</b> <b>Blake Carrels &amp; Graydon, LLP</b> <b>Box 25, Commerce Court West</b> <b>199 Bay St.</b> <b>Toronto, Ontario</b> <b>M5L 1A9</b>			Reg No. <b>29,725</b>			
cc:			I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" (37 CFR 1.8(a)) on _____ _____ (Date)			
			_____ Signature of Person Mailing Correspondence			
			_____ Typed or Printed Name of Person Mailing Correspondence			
			_____ P11A02/REV03			

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Adjustment Date: 04/14/2006 SDIRETA1  
 03/07/2005 AWONDAF1 00000105 022553 10879186  
 01 FC:1801 790.00 CR  
 02 FC:1202 50.00 CR

04/14/2006 SDIRETA1 00000009 022553 09879186

01 FC:1801 790.00 DA  
 02 FC:1202 50.00 DA

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PTO/SB/20 (08-03)

Approved for use through 07/31/2005. OMB 0531-0001  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	10/879,186 09/879/186
Filing Date	June 13, 2001
First Named Inventor	ZIMMER, Adam
Art Unit	2122
Examiner Name	VO, Ted T.
Attorney Docket Number	67678/60002

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See instruction sheet for RCEs (not to be submitted to the USPTO) on page 2.

**1. Submission required under 37 CFR 1.114**

Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

- b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/Declaration(s)

iv. ☐ Other \_\_\_\_\_

**2. Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

**3. Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to

Deposit Account No. 02/2553 06/01/2005 CCHAU1 00000056 022553 10879186

- i. ☒ RCE fee required under 37 CFR 1.17(e)

- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

01 FC:1801 790.00 DA

- iii. ☐ Other

02 FC:1202 50.00 DA

- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type) John R. Orange

Registration No. (Attorney/Agent) 19,725

Signature

Date

March 3, 2005

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)

Signature

Date

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-0199 and select option 2.

PAGE 4/14 \* RCVD AT 5/31/2005 6:01:35 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-17 \* DNS:8729306 \* CSID:14168632653 \* DURATION (mm:ss):03:54

Adjustment date: 04/14/2006 SDIRETA1  
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01 FC:1801 790.00 CR  
02 FC:1202 50.00 CR

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# BLAKE, CASSELS & GRAYDON LLP

BARRISTERS & SOLICITORS | PATENT & TRADE-MARK AGENTS

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Toronto, Ontario, Canada  
M5L 1A9

NUMBER OF PAGES INCLUDING COVER PAGE: **3**

TO: (Name, Company, City & Country)

United States Patent & Trademarks Office,  
Alexandria, VA, USA

DATE: March 22, 2006

FACSIMILE:  
571.273.6500

TELEPHONE:  
800.786.9199

## ATTENTION: REFUNDS

FROM: John R. S. Orange

BUSINESS PHONE: 416.863.3164  
SECRETARY PHONE: 416.863.4340

MESSAGE:

Application No.	09/879,186
Applicant	ZIMMER, Adam et al.
Title	System and Method for Multiple Level Architecture by Use of Abstract Application Notation
Art Unit	2122
Examiner	VO, Ted T.
Customer No.	27871

Further to our facsimile dated January 13, 2006, we understand that the Office did not receive the attached copy of our letter dated August 10, 2005 requesting a refund. Therefore, would you please advise as to when we will receive a credit to our deposit account no. 02-2553. Thank you.

ORIGINALS SENT BY: (check one) ☐ MAIL ☐ TDX ☒ NOT SENT ☐ \_\_\_\_\_  
(please specify)

ANY PROBLEMS? Please contact your Fax Operator or the Blakes Fax Operator at

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FILE REFERENCE: 67670/2

TIME IN:  
21489592.1

TIME SENT:

OPERATOR:

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